

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**\$45,000.00 IN UNITED STATES
CURRENCY AND A 2001 ITASCA
SUNCRUISER MOBILE HOME,
VIN 5B4LP57G013332941,**

Defendants,

HUGO L. SOTO,

Claimant.

8:12CV320

ORDER

This matter is before the court on the plaintiff's Consent Motion to Move Place of Trial ([Filing No. 21](#)). The plaintiff requests this court move trial to Lincoln, Nebraska, and the entire case to the Lincoln docket. The plaintiff represents this lawsuit results from a traffic stop in Lancaster County, Nebraska. The plaintiff states the officers involved in that stop are the plaintiff's witnesses and, in hindsight, the plaintiff should have filed this lawsuit requesting trial in Lincoln. Additionally, one of the claimant's attorneys practices in Lincoln, Nebraska. The claimant has no objection to the plaintiff's motion.

In determining the place of trial, "a judge considers the convenience of the litigants, witnesses, and attorneys." [NECivR 40.1\(b\)\(1\)](#). The court finds that, upon consideration of all factors pursuant to the local rules, the place of trial should be Lincoln, Nebraska. Upon consideration,

IT IS ORDERED:

1. The plaintiff's Consent Motion to Move Place of Trial ([Filing No. 21](#)) is granted.
2. The Clerk of Court shall present this case to the Chief Judge for reassignment, in accordance with [NEGenR 1.4\(a\)\(2\) and \(3\)](#), to one of the participating

judges from the docket for which this case would be assigned on a random basis if it had originally been filed in Lincoln, Nebraska.

3. The previously scheduled suppression hearing on January 24, 2013, is cancelled.

4. The Clerk of Court shall amend the docket in this matter to reflect the place of trial is Lincoln, Nebraska.

Dated this 17th day of January, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge